

Appl. No. 10/808,251
Response to Office Action Mailed November 28, 2006

PATENT

Amendments to the Drawings:

The attached sheet of drawings includes changes to Fig. 3. This sheet, which includes Fig. 3 replaces the original sheet including Fig.3.

Attachment: Replacement Sheet

REMARKS/ARGUMENTS

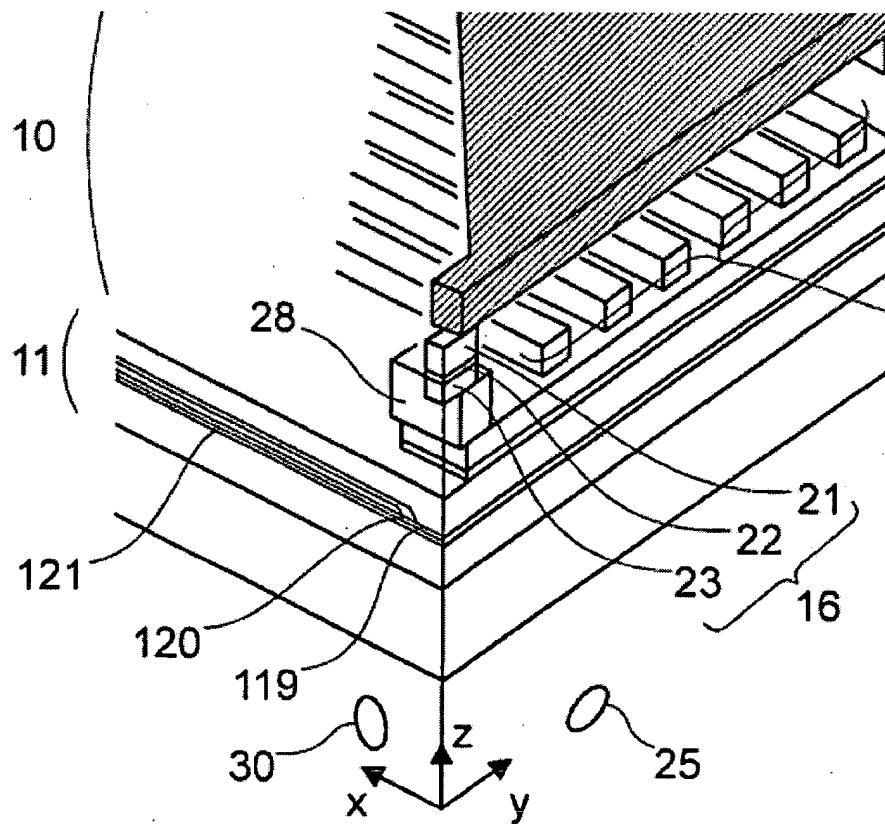
Claims 1-2, 5, 12-13, and 16 are amended by this response. No claims are canceled or added. Accordingly, following entry of these amendments and remarks, claims 1-2, 5-6, 12-13, and 16-17 will remain pending for examination.

In the latest office action, the Examiner objected to FIG. 3 for failing to include the "Prior Art" legend. FIG. 3 is amended by this response to include this legend.

The Examiner also objected to the figures for failing to show the claimed "flare structure" element. As described in detail below, the claims have now been amended to remove the "flare structure" element, thereby rendering moot this claim objection.

The Examiner further objected to the figures for failing to show the claimed "insulating film" element. The claims have now been amended to recite a "non-magnetic film", support for which is shown in the specification at least in ¶[0047].

Embodiments of the present invention relate to magnetic head structures. As described in connection with the particular embodiment of FIG. 1 (reproduced in part below):



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the magnetic head features the edge of the upper core edge layer (21) and the edge of the lower core edge layer (23) aligned on a side opposite to the air bearing surface as well as on the air bearing surface (30) side. Such alignment can result from successive formation of the layers utilizing a single mask. (See ¶[0065])

Pending independent claims 1, 5, 13, and 16 recite this alignment characteristic.

All of the pending claims stand rejected as anticipated under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,724,572 to Stoev ("the Stoev Patent"). These claim rejections are overcome as follows.

As a threshold matter, it is noted that the claims stand rejected as anticipated, and not merely obvious, in view of the Stoev Patent:

[t]he distinction between rejections based on 35 U.S.C. 102 and those based on 35 U.S.C. 103 should be kept in mind. Under the former, the claim is anticipated by the reference. No question of obviousness is present. In other words, for anticipation under 35 U.S.C. 102, the reference must teach every aspect of the claimed invention either explicitly or impliedly. Any feature not directly taught must be inherently present. (Emphasis added; MPEP 706.02)

Like the instant application, the Stoev Patent describes a structure for a magnetic head. However, unlike the claimed embodiments the Stoev Patent fails to teach a magnetic head having the relevant layers aligned in the claimed manner.

For example, the cross-sectional views of Figures 3 and 4 of the Stoev Patent are reproduced in part below:

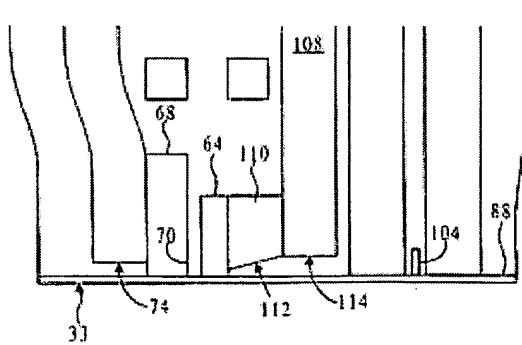


FIG. 3

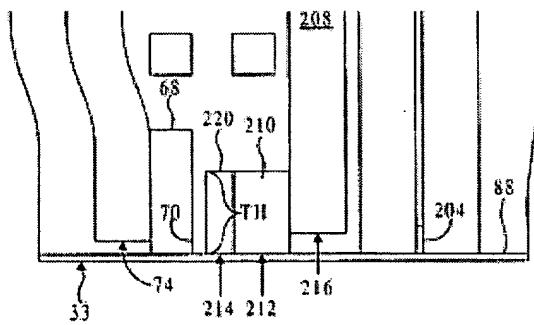


FIG. 4

In neither instance are the respective layers of the magnetic head structure aligned in the manner claimed.

Based upon the failure of the art relied upon by the Examiner to teach, explicitly or even impliedly, all of the elements of the pending claims, it is respectfully asserted that the claims cannot be considered anticipated by that reference. Continued maintenance of the anticipation claim rejections is therefore improper, and the claims rejections should be withdrawn.

In view of the foregoing, Applicants believe all claims now pending in this Application are in condition for allowance. The issuance of a formal Notice of Allowance at an early date is respectfully requested. If the Examiner believes a telephone conference would expedite prosecution of this application, please telephone the undersigned at 650-326-2400.

Respectfully submitted,



Kent J. Tobin
Reg. No. 39,496

TOWNSEND and TOWNSEND and CREW LLP
Two Embarcadero Center, Eighth Floor
San Francisco, California 94111-3834
Tel: 650-326-2400
Fax: 415-576-0300
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